

MONDAY, MARCH 4, 1991

SEVENTEENTH LEGISLATIVE DAY

The House met at 5:00 and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Rusty Rusthaven, Clarksville Cumberland Presbyterian Church, Clarksville, Tennessee.

Ms. Mary Ann Jones and the Clarksville High Chorus sang the National Anthem and God Bless the U.S.A.

Representative Head led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Garrett; due to personal reasons.

Representative Shirley; due to death in the family.

PRESENT IN CHAMBER

Rep. Copeland was recorded as being present in the Chamber.

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CONSENT CALENDAR

House Resolution No. 0013 -- Memorials, Public Service -- Cathy Brown, Mayor of Clinton.

House Resolution No. 0016 -- Memorials, Professional and Business Achievement -- Douglas Corner Cleaners, American Drycleaner Plant Design Award.

House Bill No. 1409 -- Taxes, Amusement -- Authorizes imposition of local amusement tax in Knoxville and Knox County. Repeals Chapter 776, Private Acts of 1947.

House Bill No. 1514 -- Trenton -- Revises salaries and benefits of city judge. Amends Chapter 551, Acts of 1903, as amended.

***House Resolution No. 0019** -- Memorials, Personal Achievement -- LeeAnne Rucker-Reed.

House Joint Resolution No. 0111 -- Memorials, Public Service -- Robert Joseph Davis.

House Bill No. 1160 -- Cocke County -- Repeals purchasing commission. Repeals Chapter 780, Private Acts of 1935.

On motion, House Bill No. 1160 was made to conform with Senate Bill No. 1274.

On motion, **Senate Bill No. 1274**, on same subject, was substituted for House Bill No. 1160.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1409; by Rep. Davis (Knox).

Under the rules, House Bill No. 1409 was/were placed at the foot of the calendar for Wednesday, March 6, 1991.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Chumney was recorded as being present in the Chamber.

REGULAR CALENDAR

***House Bill No. 0048** -- Sunset Laws -- Extends termination date of historical commission. Amends TCA, Title 4, Chs. 11, 29.

Further consideration of House Bill No. 48, previously considered on February 18, at which time it was reset to the Calendar for March 4, 1991.

On motion, House Bill No. 48 was made to conform with Senate Bill No. 166.

On motion, **Senate Bill No. 166**, on same subject, was substituted for House Bill No. 48.

Rep. King moved that **Senate Bill No. 166** be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 166 by deleting Section 2 in its entirety and by substituting instead the following:

Section 2. Tennessee Code Annotated, Title 4, Chapter 29, Part 2, is amended by adding the following as a new section:

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SECTION _____. The following governmental entities shall terminate on June 30, 1999:

() Historical commission, created by § 4-11-102;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. King moved that **Senate Bill No. 166**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 0229 -- Psychologists -- Deletes certain specialty classifications within discipline of psychology. Amends TCA 63-11-208.

On motion, House Bill No. 229 was made to conform with Senate Bill No. 186.

On motion, **Senate Bill No. 186**, on same subject, was substituted for House Bill No. 229.

Rep. West moved that **Senate Bill No. 186** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross,

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Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: McAfee -- 1.

A motion to reconsider was tabled.

***House Bill No. 0176** -- Hospitals and Health Care Facilities -- Exempts certain health care facilities from certificate of need requirements under certain circumstances. Amends TCA 68-11-106.

On motion, House Bill No. 176 was made to conform with Senate Bill No. 395.

On motion, **Senate Bill No. 395**, on same subject, was substituted for House Bill No. 176.

Rep. Bragg moved that **Senate Bill No. 395** be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 395 by adding the following language at the end of the amendatory language of Section 1:

Such agency shall not be authorized to become a medicaid provider unless the agency applies for and receives a certificate of need as a home health agency under the provisions of this section.

On motion, Amendment No. 1 was withdrawn.

Rep. Bragg moved to amend as follows:

Amendment No. 2

AMEND Senate Bill No. 395 by deleting the language from Section 1 "a home health agency which: (1) was engaged in business on May 30, 1985," and by substituting instead the

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language "a home health agency: (1) which was engaged in business on May 30, 1985, (2) which provides continuous skilled nursing care to patients in their regular or temporary place of residence for periods of eight (8) hours or longer,".

AND FURTHER AMEND by redesignating items (2), (3), and (4) of the introduced bill as items (3), (4), and (5), respectively.

On motion, Amendment No. 2 was adopted.

Rep. Bragg moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 395 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall only apply in counties having a population, according to the 1980 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
47,575	47,615
19,500	19,575
32,600	32,700
13,760	13,860
31,900	32,000
38,300	38,315
10,200	10,300
13,565	13,600
14,925	14,940
56,000	56,100
84,000	84,100
27,900	27,920
4,500	4,600
26,400	26,500
24,600	24,700
19,650	19,725
58,075	58,175
475,800	477,900
51,025	51,125
34,075	34,175
9,650	9,750
15,100	15,200
30,000	30,100
15,900	16,000
6,000	6,125
13,900	13,947

On motion, Amendment No. 3 was adopted.

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Thereupon, Rep. Bragg moved that **Senate Bill No. 395**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Arriola, Ferguson, Holcomb, Windle, Winningham -- 5.

A motion to reconsider was tabled.

***House Bill No. 0294** -- Motor Vehicles -- Exempts certain licensed motor vehicle dealers from obtaining automobile auction license under certain circumstances. Amends TCA 55-17-109.

Rep. Collier moved that House Bill No. 294 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

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A motion to reconsider was tabled.

House Bill No. 0271 -- General Assembly -- Requires that formal action to name or rename a public structure or facility must be by legislative enactment or joint resolution. Amends TCA, Title 3, Ch. 2.

On motion, House Bill No. 271 was made to conform with Senate Bill No. 88.

On motion, **Senate Bill No. 88**, on same subject, was substituted for House Bill No. 271.

Rep. Collier moved that **Senate Bill No. 88** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Joint Resolution No. 0038** -- Memorials, Government Officials -- Requests department of human services to study Virginia Resource Mothers Programs. Same as HJR 101.

Rep. Pruitt moved that House Joint Resolution No. 38 be adopted.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 38 by deleting the words "Department of Human Services" from the caption and by substituting instead the words "Department of Health and

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Environment in conjunction with the Department of Human Services".

AND FURTHER AMEND by deleting the language from the first resolving clause beginning with the word "That", and by substituting instead the following language:

That the Department of Health and Environment in conjunction with the Department of Human Services is hereby requested to study the feasibility of adapting the Virginia Resource Mothers Program for implementation in Tennessee and report the findings and recommendations to the House Health and Human Resources Committee and the Senate General Welfare, Health and Human Resources Committee no later than July 1, 1991. The Department of Health and Environment shall be the lead agency in conducting this study.

On motion, Amendment No. 1 was adopted.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Joint Resolution No. 38 by adding the following language as a second paragraph to the first resolving clause:

As a part of the study, the Department of Health and Environment, acting as lead agency, shall make a determination whether additional funding would be required to implement the program or whether the program could be implemented within existing resources. If it is determined that additional funding is required, the Department shall, in its report, recommend the amount necessary to fund the program. If it is determined that the program could be implemented either wholly or in part within existing resources, the Department is requested to begin implementation at the earliest possible time and include the extent of such actions in its report to the general assembly as provided in this resolution.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Pruitt moved that **House Joint Resolution No. 38**, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee,

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Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 0690 -- Education, Higher -- Allows college students to defer tuition payment until receipt of governmentally funded benefit check. Amends TCA 49-7-104.

On motion, House Bill No. 690 was made to conform with Senate Bill No. 569.

On motion, **Senate Bill No. 569**, on same subject, was substituted for House Bill No. 690.

Rep. Bivens moved that **Senate Bill No. 569** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 0798 -- Education -- Exempts high school students from physical education requirement during participation in

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interscholastic athletics. Amends TCA, Title 49, Ch. 6, Pt. 12.

Rep. Bivens moves that House Bill No. 798 be reset to the Calendar for three weeks to Monday, March 25, 1991, which motion prevailed.

UNFINISHED BUSINESS

REFERRED TO DELAYED BILLS COMMITTEE

Pursuant to House Rule No. 78, House Bill(s) No(s). 1522, 1523, 1524, 1528 and 1530 having been prefiled, has/have been referred to the Delayed Bills Committee for its approval for introduction.

***House Bill No. 1522 -- Appropriations --** Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1991. by *Purcell, *Naifeh, *Bragg, *DeBerry.

***House Bill No. 1523 -- Bond Issues --** Authorizes \$286 million bond issue for certain purposes. by *Purcell, *Naifeh, *DeBerry, *Bragg.

***House Bill No. 1524 -- Appropriations --** Authorizes growth in state appropriations which exceed rate of growth of economy for the 1991-1992 fiscal year. Amends TCA, Title 9, Ch. 6, Pt. 2. by *Purcell, *Naifeh, *DeBerry, *Bragg.

***House Bill No. 1528 -- Gambling --** Allows display of gambling devices at trade shows. Amends TCA, Title 39, Ch. 17, Pt. 5. by *Dixon.

***House Bill No. 1530 -- Criminal Procedure --** Clarifies aggravating circumstance upon which jury may impose penalty of death. Amends TCA 39-13-204. by *Windle.

MESSAGE FROM THE SENATE

March 4, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 116; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0116 -- Memorials, Government Officials -- Requests U.S. Bankruptcy Trustee to appoint separate official committee of milk producers in bankruptcy proceedings against Pet Dairies. by *Burks, et al.

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RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the immediate consideration of **Senate Joint Resolution 116** out of order, which motion prevailed.

On motion of Rep. Hargrove, the resolution was concurred in by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullios, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 174: Rep(s). Ferguson, Naifeh and Windle as prime sponsor(s).

House Bill No. 398: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 399: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 400: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 401: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 576: Rep(s). Purcell as prime sponsor(s).

House Bill No. 774: Rep(s). Kernell as prime sponsor(s).

House Bill No. 1219: Rep(s). Coffey as prime sponsor(s).

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House Bill No. 1284: Rep(s). Herron as prime sponsor(s).

House Bill No. 1442: Rep(s). Hill as THE prime sponsor.

House Bill No. 1443: Rep(s). Hill as THE prime sponsor.

House Bill No. 1523: Rep(s). Bivens and Rhinehart as prime sponsor(s).

House Resolution No. 19: Rep(s). Liles as prime sponsor(s).

House Joint Resolution No. 111: Rep(s). Bittle as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0020 -- Memorials, Personal Occasion -- Mr. and Mrs. Carson Cooper, 60th wedding anniversary. *by Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0021 -- Memorials, Sports -- Sullivan East High School Patriot Regiment. by *Holcomb.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0023 -- Memorials, Personal Occasion -- Bellina Watkins, 90th birthday. by *Pruitt, *Armstrong, *Dixon, *Turner L, *Robinson C B, *DeBerry, *Love, *Jones R, *King, *Jones U.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0112 --** General Assembly, Studies -- Creates special joint committee to study medicaid coverage of prescription drugs. by *Dixon, *Pruitt.

Referred by the Speaker to the Health and Human Resources Committee.

House Joint Resolution No. 0113 -- Memorials, Professional and Business Achievement -- Gus Kampas, owner of Varsity Inn. by *Peroulas Draper, *Naifeh, *Davis J K, *Armstrong, *Tindell, *Severance, *Hill.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0114 -- Memorials, Recognition and Thanks -- Boyd family and National Baptist Publishing Board. by *Jones R, *Love, *Robinson C B, *Turner L, *Pruitt, *Jones U, *DeBerry.

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Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0100 -- Memorials, Sports -- Christian Brothers High School cheerleading squad.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0101 -- Memorials, Public Service -- Kingsport Jaycees, 45th Anniversary.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0102 -- Memorials, Public Service -- Susan Nunley Marttala.

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1520 -- Centertown -- Increases terms of office for commissioners. Amends Chapter 606, Private Acts of 1951, as amended. by *Hillis, *Rhinehart.

Passed first consideration.

House Bill No. 1525 -- Chapel Hill -- Creates new charter. Repeals Chapter 493, Private Acts of 1921, as amended. by *Phillips.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the Senate Bills listed below, transmitted to the House; were held on the Clerk's desk as noted:

***Senate Bill No. 0081** -- Fees -- Increases fees for various probate filings. Amends TCA 8-21-401, 30-2-306, 314, 55-8-132, 67-8-406. (HB 0894).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0190** -- Election Laws -- Removes right of certain elderly or handicapped persons to vote at election

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CONSENT CALENDAR

House Resolution No. 0013 -- Memorials, Public Service -- Cathy Brown, Mayor of Clinton.

House Resolution No. 0016 -- Memorials, Professional and Business Achievement -- Douglas Corner Cleaners, American Drycleaner Plant Design Award.

House Bill No. 1409 -- Taxes, Amusement -- Authorizes imposition of local amusement tax in Knoxville and Knox County. Repeals Chapter 776, Private Acts of 1947.

House Bill No. 1514 -- Trenton -- Revises salaries and benefits of city judge. Amends Chapter 551, Acts of 1903, as amended.

***House Resolution No. 0019** -- Memorials, Personal Achievement -- LeeAnne Rucker-Reed.

House Joint Resolution No. 0111 -- Memorials, Public Service -- Robert Joseph Davis.

House Bill No. 1160 -- Cocke County -- Repeals purchasing commission. Repeals Chapter 780, Private Acts of 1935.

On motion, House Bill No. 1160 was made to conform with Senate Bill No. 1274.

On motion, **Senate Bill No. 1274**, on same subject, was substituted for House Bill No. 1160.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1409; by Rep. Davis (Knox).

Under the rules, House Bill No. 1409 was/were placed at the foot of the calendar for Wednesday, March 6, 1991.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

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***Senate Bill No. 0593** -- Criminal Offenses -- Revises law concerning weapons. Amends TCA, Title 39, Ch. 17. (HB 1084).

Held pending third consideration of companion House Bill.

Senate Bill No. 0859 -- Military -- Requires veterans' service officers be issued accreditation within certain time period. Amends TCA, Title 58, Ch. 3. (*HB 0152).

Held pending third consideration of companion House Bill.

Senate Bill No. 0903 -- Election Laws -- Increases time in Davidson County to appoint poll officials. Amends TCA 2-4-102. (*HB 0605).

Held pending third consideration of companion House Bill.

Senate Bill No. 0905 -- Election Laws -- Deletes requirement that main office of Davidson County election commission be open first Saturday of month. Amends TCA 2-2-108. (*HB 0600).

Held pending third consideration of companion House Bill.

Senate Bill No. 1138 -- Aircraft and Airports -- Increases from Class C to Class B misdemeanor interfering with light or guide for aircraft. Amends TCA, Title 42. (*HB 0130).

Held pending third consideration of companion House Bill.

Senate Bill No. 1387 -- General Services, Dept. of -- Authorizes commissioner to appoint designee to resolve bid protests. Amends TCA 12-3-214. (*HB 1255).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1518 -- Oliver Springs -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1519 -- Cocke County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 4, 1991**

In accordance with Rule No. 48, the following local bill(s),

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having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 952, 1386, 1509, 1510, 1513, 1518 and 1519.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 4, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Thursday, March 7, 1991**: House Resolution(s) No(s). 20, 21 and 23; House Joint Resolution(s) No(s). 113 and 114; House Bill(s) No(s). 952, 1386, 1509, 1510, 1513, 1518 and 1519; also, Senate Joint Resolution(s) No(s). 100, 101 and 102.

PHILLIPS, Chair.

**ENGROSSED BILLS
March 4, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 294 and 1514; also, House Joint Resolution(s) No(s). 111; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 74, 105 and 108; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 38 and 52; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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**MESSAGE FROM THE SENATE
March 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 116; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENGROSSED BILLS
March 4, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 38; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 4, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 114, 225, 333 and 735; also, Senate Joint Resolution(s) No(s). 85, 86, 90, 92, 93, 94, 95, 96 and 98; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
March 4, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 727, 1123, 1176, 1295, 1469, 1497, 1499, 1500 and 1501; also, House Joint Resolution(s) No(s). 102; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles,

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Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullios, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 6, 1991.